

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Andrew P. Ayscough et al.

Serial No.: 10/510,600

Filed: October 12, 2004

For: Antibacterial Agents

Atty. Docket No.: 010180.00028

Confirmation No.: 1789

U.S. National Stage of

International Application No.:

PCT/GB2003/001541

Filed: April 9, 2003

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

U.S. Patent and Trademark Office
Randolph Building
Customer Service Window, Mail Stop PCT
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Notification of Missing Requirements mailed April 7, 2005, Applicants submit herewith the executed Declaration/Power of Attorney to complete the filing of the instant application.

Applicants hereby submit two (2) identical Declarations: the first executed by the named inventor Andrew Paul Ayscough and the second executed by the named inventor Kenneth Keavey. These two Declarations are to be considered as a single complete Joint Declaration and Power of Attorney in the above-captioned patent application.

10/27/2005 HKAYPAGH 00000142 190733 10510600

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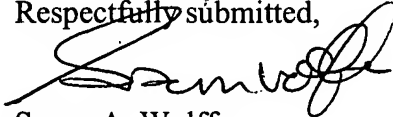
FEES

The Commissioner is authorized to charge the requisite late filing surcharge of \$130.00 and the five-month extension fee of \$2160 to Deposit Account No. 19-0733. A Petition For Extension Of Time Under 37 CFR 1.136(a) and Fee Transmittal for FY 2005 are being filed concurrently herewith. In the event of Applicants' miscalculation of fees due, the Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0733.

Date: 10/26/05

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001
Telephone 202-824-3000

Respectfully submitted,



Susan A. Wolffe
Reg. No. 33,568

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL
for FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 2290**Complete if Known**

Application Number	10/510,600
Filing Date	October 12, 2004
First Named Inventor	Andrew P. Ayscough
Examiner Name	TBA
Art Unit	TBA
Attorney Docket No.	010180.00028

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP= _____	x _____	= _____	_____	_____	_____	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 3 or HP= _____	x _____	= _____	_____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : 5-Month Extension Fee (\$2160) and Late Filing Surcharge (\$130)**Fees Paid (\$)****\$2290****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	33,568	Telephone	202-824-3000
Name (Print/Type)	Susan A. Wolfe	Date	10/24/05		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/510,600	FIRST NAMED APPLICANT Andrew P. Ayscough	ATTY. DOCKET NO. 010180.00028
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INTERNATIONAL APPLICATION NO.

PCT/GB03/01541

I.A. FILING DATE

04/09/2003

PRIORITY DATE

04/13/2002

22907

BANNER & WITCOFF

1001 G STREET N W

SUITE 1100

WASHINGTON, DC 20001

APR 11 2005

BANNER & WITCOFF LTD

CONFIRMATION NO. 1789

371 FORMALITIES LETTER



OC000000015669904

Date Mailed: 04/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Information Disclosure Statements filed on 10/12/2004
- Request for Immediate Examination filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

Docketed 4-12-05
 Attny SAW/ FWT
 Case Ref 010180.00028
 Action Missing Req
 Due Date 6-7-05
 Last Day 11/7/05
 By [Signature]

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,600	PCT/GB03/01541	010180.00028

FORM PCT/DO/EO/905 (371 Formalities Notice)